

ORIGINAL

N. Part 4655.7500, items A and B, \$200.

C. Part 4655.7500, item C, \$200.

P. Part 4655.7500, item D, \$200.

MS s 144A.10 subd 6

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4655.9331 MEDICATIONS.

Penalty assessments for violations of parts 4655.7600 to 4655.7860 are as follows:

A. A \$500 penalty assessment shall be issued for a violation of that portion of part 4655.7700, subpart 1, which states: "A system shall be developed in each nursing home to assure that all medications are administered safely and properly."

B. A \$300 penalty assessment shall be issued for a violation of that portion of part 4655.7700, subpart 2, which states: "The supervising nurse or other nursing staff trained specifically by the supervising nurse or a physician in the administration of medications and familiar with the expected action of drugs, shall be designated and held responsible for the administration of medications during each eight-hour period."

C. A \$50 penalty assessment shall be issued for a violation of that portion of part 4655.7700, subpart 3, which states: "A list of carefully selected personnel, currently employed, who have been so trained, none under 18 years of age, shall be maintained. The written training program shall be available at each nursing station."

D. A \$500 penalty assessment shall be issued for a violation of that portion of part 4655.7700, subpart 4, which states: "Medications administered by hypodermic may be given only by a physician, registered nurse, or licensed practical nurse."

E. A \$350 penalty assessment shall be issued for a violation of those portions of part 4655.7700, subparts 6 and 7, which state: "The actual act of swallowing oral medications shall be observed personally by the individual responsible for administering medications. When medications have been added to food, the amount of food consumed shall be recorded by the person designated to administer medications."

F. A \$500 penalty assessment shall be issued for a violation of that portion of part 4655.7700, subpart 8, which states: "All medications shall be administered exactly as ordered by the physician. Any medication errors or patient reactions shall be reported to the physician at once and an explanation made in the patient's care record."

G. Part 4655.7710, \$350.

H. Part 4655.7720, subparts 1 to 5, \$300.

I. Part 4655.7720, subpart 6, \$300.

J. Part 4655.7720, subpart 7, \$300.

K. Part 4655.7720, subpart 8, \$300.

L. Parts 4655.7730 to 4655.7740, \$300.

M. Part 4655.7750, \$300.

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N. A \$350 penalty assessment shall be issued for a violation of that portion of part 4655.7760, subpart 1, which states: "All medications administered to each patient shall be recorded on the medication and treatment record or in the nurses' notes on the patient's chart. This information shall include the name and quantity of the drug given and the time administered and shall be initialed by the person giving the drug. Special notations shall be made whenever medications are started or discontinued. Medicine cards or a medicine list shall be maintained to show each medication which is currently being given."

O. A \$300 penalty assessment shall be issued for a violation of those portions of part 4655.7760 not identified in item N.

P. Part 4655.7770, \$350.

Q. Part 4655.7780, \$300.

R. Part 4655.7790, subpart 1, \$100.

S. Part 4655.7790, subpart 2, \$100.

T. Except as noted in item U, a \$300 penalty assessment shall be issued for a violation of part 4655.7860.

U. A \$50 penalty assessment shall be issued for a violation of that portion of part 4655.7860 which states: "The nursing home or boarding care home shall keep written documentation verifying completion of the required course by all unlicensed [nursing] personnel administering medications."

MS s 144A.10 subd 6

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4655.9332 LINEN SERVICE AND LAUNDRY.

Penalty assessments for violations of parts 4655.8000 to 4655.8300 are as follows:

- A. part 4655.8000, subpart 2, \$200;
- B. part 4655.8000, subpart 3, \$200;
- C. part 4655.8000, subpart 4, \$200;
- D. part 4655.8000, subpart 5, \$300;
- E. part 4655.8000, subpart 6, \$300;
- F. part 4655.8000, subpart 7, \$100;
- G. part 4655.8000, subpart 8, \$50; and
- H. part 4655.8100, \$300.

MS s 144A.10 subd 6

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4655.9333 DIETARY SERVICES AND SANITATION.

Penalty assessments for violations of parts 4655.8500 to 4655.8830 are as follows:

A. Except as noted in item B, a \$350 penalty assessment shall be issued for a violation of part 4655.8500.

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B. A \$100 penalty assessment shall be issued for a violation of that portion of part 4655.8500, subpart 3, which states: "There shall be current diet manuals readily available in the kitchen."

C. Part 4655.8510, \$300.

D. Except as noted in items E to G, a \$350 penalty assessment shall be issued for a violation of part 4655.8520.

E. A \$300 penalty assessment shall be issued for a violation of that portion of part 4655.8520, item A, which states: "The dietary staff shall be adequate in number to provide personnel on duty 12 or more hours per day. They shall be trained in the performance of their assigned duties."

F. A \$50 penalty assessment shall be issued for a violation of that portion of part 4655.8520, item A, which states: "Work assignments and duty schedules shall be posted in the dietary department."

G. A \$50 penalty assessment shall be issued for a violation of that portion of part 4655.8520, item F, which states: "The kitchen shall not be used for eating meals or for coffee breaks."

H. Part 4655.8600, \$350.

I. Part 4655.8610, \$350.

J. A \$350 penalty assessment shall be issued for a violation of that portion of part 4655.8620, subpart 1, which states: "At least three meals shall be served at regular times during each 24-hour period with a maximum of 14 hours between a substantial evening meal and breakfast."

K. A \$100 penalty assessment shall be issued for a violation of that portion of part 4655.8620, subpart 2, which states: "Meals shall be served in the dining room and bedroom trays kept to a minimum. Patients or residents shall be encouraged to eat together."

L. Part 4655.8630, subpart 1, \$350.

M. Except as noted in item N, a \$300 penalty assessment shall be issued for a violation of part 4655.8630, subpart 2.

N. A \$50 penalty assessment shall be issued for a violation of that portion of part 4655.8630, subpart 2, which requires that menus be dated and posted for a minimum of one week in advance.

O. Part 4655.8630, subpart 3, \$300.

P. Parts 4655.8640 to 4655.8680, \$350.

Q. Part 4655.8690, \$300.

R. Part 4655.8700, \$300.

S. Except as noted in item T, a \$300 penalty assessment shall be issued for a violation of parts 4655.8800 to 4655.8830.

T. Part 4655.8820, subpart 3, item C, \$50.

MS s 144A.10 subd 6

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4655.9334 HOUSEKEEPING.

Penalty assessments for violations of parts 4655.9000 to 4655.9070 are as follows:

- A. Part 4655.9000, subpart 1, \$200.
- B. Part 4655.9000, subpart 2, \$100.
- C. Part 4655.9010, subpart 1, \$200.
- D. Part 4655.9010, subpart 2, \$200.
- E. Except as noted in item F, a \$150 penalty assessment shall be issued for a violation of part 4655.9020.
- F. A \$200 penalty assessment shall be issued for a violation of that portion of part 4655.9020, subpart 4 which states: "Disinfectants, pesticides, and other toxic substances shall be clearly identified and stored in a locked enclosure or cabinet."
- G. Part 4655.9030, \$150.
- H. Part 4655.9040, \$200.
- I. Part 4655.9050, \$50.
- J. Part 4655.9060, \$200.
- K. Part 4655.9070, subpart 2, \$350.
- L. Part 4655.9070, subpart 3, \$200.

MS s 144A.10 subd 6

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4655.9335 PHYSICAL PLANT.

Penalty assessments for violations of parts 4660.0090 to 4660.1100 are as follows:

- A. part 4660.0200, second paragraph, \$100;
- B. part 4660.0300, subpart 5, \$200; and
- C. parts 4660.0400 to 4660.1100, \$100.

MS s 144A.10 subd 6

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4655.9336 PATIENT OR RESIDENT AREAS.

Subpart 1. Generally. Penalty assessments for violations of parts 4660.1300 to 4660.4700 are as follows:

- A. part 4660.1400, \$150;
- B. part 4660.1410, \$200;
- C. part 4660.1420, \$150;
- D. part 4660.1430, \$150;
- E. part 4660.1440, subpart 1, \$200;
- F. part 4660.1440, subpart 2, \$150;

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- G. part 4660.1450, \$150;
- H. part 4660.1460, subpart 1, item A, \$100;
- I. part 4660.1460, subpart 1, item B, \$500;
- J. part 4660.1460, subpart 2, \$200;
- K. part 4660.1470, subpart 1, first paragraph, \$150;
- L. part 4660.1500, subpart 1, \$200;
- M. part 4660.1500, subpart 2, \$200;
- N. part 4660.1600, subpart 1, \$150;
- O. part 4660.1600, subpart 2, \$200;
- P. part 4660.1700, \$300;
- Q. part 4660.1800, \$200;
- R. part 4660.1900, \$200;
- S. part 4660.2100, \$150;
- T. part 4660.2200, \$200;
- U. part 4660.2300, \$150;
- V. part 4660.2400, \$150;
- W. part 4660.2500, \$150;
- X. part 4660.2600, items A to D, \$150;
- Y. part 4660.2600, items E and F, \$200;
- Z. part 4660.2600, items G to J, \$150;
- AA. part 4660.2610, item A, \$150;
- BB. part 4660.2610, items B to E, \$150;
- CC. part 4660.2610, items F to H, \$200;
- DD. part 4660.2610, items I and J, \$150;
- EE. part 4660.2620, subpart 3, \$150;
- FF. part 4660.2630, subpart 3, \$150;
- GG. part 4660.2640, \$150;
- HH. part 4660.2700, \$150;
- II. part 4660.2800, \$150;
- JJ. part 4660.2900, \$150;
- KK. part 4660.3000, \$50; and
- LL. part 4660.3100, \$50.

Subp. 2. Shower curtain. A \$150 penalty assessment shall be issued for a violation of that portion of part 4660.2620, subpart 1, which states: "In a room used by more than one patient, the bathtub or shower area shall be provided with a draw curtain for privacy.";

Subp. 3. Nonslip floor. A \$200 penalty assessment shall be issued for a violation of that portion of part 4660.2620,

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subpart 2, which states: "Bathtubs and showers shall be provided with a nonslip bottom or floor surface, and the areas shall be provided with grab bars.";

Subp. 4. Central bathing area. Except as noted in subpart 5, a \$150 penalty assessment shall be issued for a violation of part 4660.2630, subpart 2.

Subp. 5. Floors and grab bars. A \$200 penalty assessment shall be issued for a violation of part 4660.2630, subpart 2, item B, which states: "Bathtubs and showers shall be provided with a nonslip bottom or floor surface, and at least one grab bar, securely anchored, shall be provided at each fixture."

Subp. 6. Showers. Except as noted in subpart 7, a \$150 penalty assessment shall be issued for a violation of part 4660.2630, subpart 3, items D to G.

Subp. 7. Shower grab bar. A \$200 penalty assessment shall be issued for a violation of part 4660.2630, subpart 3, item G, which states: "A vertical, nonslip grab bar, 24 inches long, shall be provided at the shower and at the shower entrance location. The low end of the grab bar shall be three feet above the floor. Horizontal grab bars inside wet areas shall be mounted at a height of four feet, six inches above the floor."

Subp. 8. Tubs. Except as noted in subpart 9, a \$150 penalty assessment shall be issued for a violation of part 4660.2630, subpart 3, items I to L.

Subp. 9. Tub grab bar. A \$200 penalty assessment shall be issued for a violation of part 4660.2630, subpart 3, item L, which states: "A vertical, nonslip grab bar, 24 inches long, shall be provided on each side of the tub at the head end. The low end of the grab bar shall be three feet six inches above the floor or four inches above the rim of the tub."

NOTE: Part 4660.2630, subpart 3, item L actually reads in part, "The low end of the grab bar shall be three feet above the floor or four inches above the rim of the tub."

MS s 144A.10 subd 6

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4655.9337 SUPPORTIVE SERVICES; DIETARY AREAS.

Penalty assessments for violations of parts 4660.4810 to 4660.5810 are as follows:

- A. parts 4660.4810 to 4660.4840, \$150;
- B. parts 4660.4900 to 4660.4940, \$200;
- C. parts 4660.5000 to 4660.5040, \$200;
- D. part 4660.5050, \$100;
- E. part 4660.5100, \$150;
- F. part 4660.5200, \$150;
- G. part 4660.5300, \$150;
- H. part 4660.5400, \$150;
- I. part 4660.5500, \$150;
- J. part 4660.5600, \$150;
- K. part 4660.5800, \$150; and

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L. part 4660.5810, \$150.

MS s 144A.10 subd 6

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4655.9338 CONSTRUCTION DETAILS, CHUTES AND ELEVATORS.

Penalty assessments for violations of parts 4660.6000 to 4660.7600 are as follows:

- A. part 4660.6000, \$200;
- B. part 4660.6100, \$200;
- C. part 4660.6200, subparts 1 and 2, \$200;
- D. part 4660.6200, subpart 3, \$150;
- E. part 4660.6300, \$200;
- F. part 4660.6400, \$150;
- G. part 4660.6500, \$200;
- H. part 4660.6600, \$200;
- I. part 4660.6700, \$200;
- J. part 4660.6800, \$150;
- K. part 4660.6900, subpart 1, \$200;
- L. part 4660.6900, subparts 2 and 3, \$200;
- M. part 4660.6910, \$200;
- N. part 4660.6920, \$200;
- O. part 4660.7000, \$200;
- P. part 4660.7100, \$150;
- Q. part 4660.7200, \$200;
- R. part 4660.7300, \$200;
- S. part 4660.7400, \$200;
- T. part 4660.7500, \$200; and
- U. part 4660.7600, \$200.

MS s 144A.10 subd 6

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4655.9339 MECHANICAL AND ELECTRICAL SYSTEMS.

Penalty assessments for violations of parts 4660.7800 to 4660.8610 and 4660.9900 to 4660.9940 are as follows:

- A. part 4660.7800, subparts 1 and 2, \$200;
- B. part 4660.7800, subparts 3 to 5, \$200;
- C. part 4660.7800, subparts 6 to 9, \$200;
- D. part 4660.7800, subparts 10 to 13, \$200;

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- E. part 4660.7800, subpart 14, \$200;
- F. part 4660.7800, subpart 15, \$200;
- G. part 4660.7900, \$200;
- H. part 4660.8000, subparts 1 to 6, \$200;
- I. part 4660.8000, subparts 7 and 8, \$200;
- J. parts 4660.8000, subparts 9 to 11 and 4660.8010, \$200;
- K. part 4660.8200, \$200;
- L. parts 4660.8300 to 4660.8380, 4660.9930, and 4660.9940, \$200;
- M. part 4660.8410, \$200;
- N. part 4660.8420, subpart 1, \$50;
- O. part 4660.8420, subpart 2, \$200;
- P. parts 4660.8430 to 4660.8450, \$200;
- Q. part 4660.8460, \$200;
- R. parts 4660.8500 to 4660.8530, \$200;
- S. parts 4660.8540 to 4660.8560, \$350; and
- T. part 4660.8610, \$200.

MS s 144A.10 subd 6

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4655.9340 DEPARTMENT OF HEALTH STATUTES; FINES.

Penalty assessments for violations of Minnesota Statutes, section 144.651 are as follows:

- A. Minnesota Statutes, section 144.651, clause (4), \$100.
- B. Minnesota Statutes, section 144.651, clause (5), \$250.
- C. Minnesota Statutes, section 144.651, clause (6), \$250.
- D. Minnesota Statutes, section 144.651, clause (7), \$100.
- E. Minnesota Statutes, section 144.651, clause (8), \$100.
- F. Minnesota Statutes, section 144.651, clause (9), \$250.
- G. Minnesota Statutes, section 144.651, clause (10), \$250.
- H. Minnesota Statutes, section 144.651, clause (11), \$100.
- I. Minnesota Statutes, section 144.651, clause (12), \$250.
- J. Minnesota Statutes, section 144.651, clause (13),

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\$500.

K. Minnesota Statutes, section 144.651, clause (14),

\$500.

L. Minnesota Statutes, section 144.651, clause (15),

\$250.

M. Except as noted in item N, a \$100 penalty assessment shall be issued for a violation of Minnesota Statutes, section 144.651, clause (16).

N. A \$250 penalty assessment shall be issued for a violation of that portion of Minnesota Statutes, section 144.651, clause (16), which states: "Patients and residents shall be assured confidential treatment of their personal and medical records, and may approve or refuse their release to any individual outside the facility."

O. Minnesota Statutes, section 144.651, clause (17),

\$100.

P. Minnesota Statutes, section 144.651, clause (18),

\$100.

Q. Minnesota Statutes, section 144.651, clause (19),

\$250.

R. Minnesota Statutes, section 144.651, clause (20),

\$100.

S. A \$250 penalty assessment shall be issued for a violation of the portions of Minnesota Statutes, section 144.651, clause (21), which state: "Patients and residents may associate and communicate privately with persons of their choice and enter and, except as provided by the Minnesota Commitment Act, leave the facility as they choose.... Personal mail shall be sent without interference and received unopened unless medically or programmatically contraindicated and documented by the physician in the medical record."

T. A \$100 penalty assessment shall be issued for a violation of the portions of Minnesota Statutes, section 144.651, clause (21), which state: "Patients and residents shall have access, at their expense, to writing instruments, stationery, and postage.... There shall be access to a telephone where patients and residents can make and receive calls as well as speak privately. Facilities which are unable to provide a private area shall make reasonable arrangements to accommodate the privacy of patients' or residents' calls."

U. Minnesota Statutes, section 144.651, clause (22),

\$100.

V. Minnesota Statutes, section 144.651, clause (23),

\$250.

W. Minnesota Statutes, section 144.651, clause (24),

\$100.

X. Minnesota Statutes, section 144.651, clause (25),

\$250.

Y. Minnesota Statutes, section 144.651, clause (26),

\$250.

Z. Minnesota Statutes, section 144.651, clause (27),

\$100.

AA. Minnesota Statutes, section 144.651, clause (28),

\$250.

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BB. Minnesota Statutes, section 144.651, clause (29),
\$250.

CC. Minnesota Statutes, section 144.652, subdivision
1, \$100.

MS s 144A.10 subd 6

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4655.9341 NURSING HOME STATUTES; FINES.

Penalty assessments for violations of Minnesota Statutes,
chapter 144A are as follows:

A. Minnesota Statutes, section 144A.04, subdivision
4, \$100.

B. Minnesota Statutes, section 144A.04, subdivision
6, \$100.

C. A \$100 penalty assessment shall be issued for a
violation of these portions of Minnesota Statutes, section
144A.10, subdivision 3, which state: "A copy of each correction
order and notice of noncompliance, and copies of any
documentation supplied to the commissioner of health or the
commissioner of public welfare under sections 144A.03 or 144A.05
shall be kept on file at the nursing home and shall be made
available for viewing by any person upon request. Except as
otherwise provided by this subdivision, a copy of each
correction order and notice of noncompliance received by the
nursing home after its most recent inspection or reinspection
shall be posted in a conspicuous and readily accessible place in
the nursing home.... All correction orders and notices of
noncompliance issued to a nursing home owned and operated by the
state or political subdivision of the state shall be circulated
and posted at the first public meeting of the governing body
after the order or notice is issued. Confidential information
protected by section 13.05 or section 13.46, shall not be made
available or posted as provided in this subdivision unless it
may be made available or posted in a manner authorized by
chapter 13."

D. Minnesota Statutes, section 144A.13, subdivision
1, \$100.

E. Except as noted in item G, a \$100 penalty
assessment shall be issued for a violation of Minnesota
Statutes, section 144A.13, subdivision 2.

F. A \$250 penalty assessment shall be issued for a
violation of that portion of Minnesota Statutes, section
144A.13, subdivision 2, which states: "No controlling person or
employee of a nursing home shall retaliate in any way against a
complaining nursing home resident and no nursing home resident
may be denied any right available to him under chapter 566."

G. Minnesota Statutes, section 144A.16, \$100.

MS s 144A.10 subd 6

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4655.9342 REPORTING MALTREATMENT OF VULNERABLE ADULTS; FINES.

Penalty assessments for violations of Minnesota Statutes,
section 626.557 are as follows:

A. Minnesota Statutes, section 626.557, subdivision
3, \$250;

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